

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
APRIL 15, 2002  
6:30 P.M.**

**The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.**

PRESENT: Commissioner Donald E. Warren, Chairman  
Commissioner May Moore, Vice-Chairman  
Commissioner David Sandifer  
Commissioner Tom B. Rabon, Sr.  
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager  
Steve Stone, Assistant County Manager  
Huey Marshall, County Attorney  
Mark Seagle, Assistant County Attorney  
Debby Gore, Clerk to the Board  
Margie Stephenson, Deputy Clerk  
Lithia E. Brooks, Fiscal Operations Director

**I. CALL TO ORDER**

Chairman Warren called the meeting to order at 6:30 p.m.

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

**III. ADJUSTMENTS/APPROVAL OF AGENDA**

Chairman Warren asked if there were any adjustments to the agenda. The following adjustments were made:

1. Commissioner Sandifer requested to add under Board Appointments, Item #2, an appointment to the Equalization and Review Board.
2. Commissioner Rabon requested to table the District 4 appointment for the Utilities Operations Board.
3. The County Attorney requested to add a Closed Session as Item #2 under County Attorney's Report.
4. The County Attorney requested to add the Tax Collector's Oath and Order as Item G under Consent Agenda.

Commissioner Sue moved to approve the agenda with the adjustments included. The vote of approval was unanimous.

#### **IV. PUBLIC COMMENTS**

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. There were no comments from the audience.

#### **V. APPROVAL OF CONSENT AGENDA**

Commissioner Sandifer moved to approve the Consent Agenda with the adjustments included. The vote of approval was unanimous. The following items were approved:

##### **A. Minutes**

1. Board Retreat Minutes of February 27, 2002

##### **B. Tax Matters**

1. Request approval of Tax Releases for April 2002
2. Request approval of Fire Fee Releases for April 2002
3. Request approval of December 2001 Motor Vehicle Valuation and Levy
4. Request approval to advertise Total of Unpaid Taxes on Real Estate 2001

##### **C. Finance – FY 2001-2002**

We are in receipt of the following FY 2001-2002 budget amendment requests:

###### **1) Sheriff's Department**

\$10,900 Increase                      Federal Revenue

This amendment represents a grant award for the Booze It & Loose It program administered by the Sheriff's department. County funds are not involved.

###### **2) Cooperative Extension - New Communities Project**

\$34,900 Increase                      State Revenue

This amendment represents the renewal of the grant for the above referenced program. This program assists citizens in certain areas of the County with job referrals, counseling, etc. County funds are not involved.

###### **3) Water Capital Project and Special Revenue Capital Project - Bell Swamp/Scada and Shallotte**

\$154,081 Increase                      Economic Development Administration

This amendment represents the final adjustment in order to close out the above referenced capital project. Due to investments earned during construction, and sales tax refund being received, the excess loan funds from EDA were not used. These excess loan funds can be used, however, to retire debt. There we are recommended that these excess funds be appropriated into Water fund to offset debt service. This is in agreement with EDA. County funds are not involved.

We request the Board's concurrence to amend the FY 2001-2002 Budget Ordinance, and the Bell Swamp/Scada Upgrade Capital Project Ordinance accordingly.

##### **D. Road Petition**

1. Request approval of SR-2 Resolution for roads in River Ridge Subdivision.
2. Request approval of SR-2 Resolution for roads in River View Subdivision.

**E. Solid Waste**

1. Request approval to exempt tipping fees at the County landfill for Calvary Church.
2. Request approval to exempt tipping fees at the County landfill for Camp Pretty Pond.

**F. Surplus Vehicles**

1. Request to sell/convey surplus vehicles to Brunswick Community College and Navassa Volunteer Fire Department.

**G. Oath and Order to the Revenue Collector (added under Adjustments to the Agenda)**

1. Chairman Warren administered the Oath of Office and Order to the Revenue Collector, Danny Ray Culler.

**ORDER**

State of North Carolina

County of Brunswick

To the Tax Collector of the County of Brunswick:

**You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Brunswick and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.**

Witness my hand and official seal, this 15<sup>th</sup> day of April, 2002.

s/Don Warren, Chairman  
Brunswick County Commissioners

(Seal)

Attest:

s/Deborah S. (Debby) Gore  
Clerk to the Board

s/Danny Culler  
Tax Collector

(Seal)

**VI. ADMINISTRATIVE REPORT**

**1. East-West Regional Wastewater Project – (*Marty Lawing*)**

Staff recommends that the Board of Commissioners consider approving Amendment No. 1 of Task Order No. 1 for the Project Engineering and Management Agreement with HDR Engineering by extending the initial service period to May 10, 2002.

Commissioner Sandifer moved to approve Amendment No. 1 of Task Order No. 1 of the Agreement with HDR Engineering by extending the initial service period to May 10, 2002. The vote of approval was unanimous.

**2. Courthouse – Change Orders – (*Marty Lawing*)**

Staff recommends that the Board of Commissioners consider approving the negotiated amount of \$63,523 for seven CPR's included in three different change orders.

Commissioner Sue moved to authorize up to \$63,523 for seven CPR's with the Brunswick County Courthouse.

**3. Health Insurance Trust/Renewal Rates – (*Marty Lawing*)**

Staff recommends that the Board of Commissioners consider approving the annual Participation Agreement Resolution authorizing participation in the NCACC Health Insurance Trust and the Proposed Renewal Schedule of Benefits and Rates for FY 2002-2003.

Commissioner Rabon moved to approve the Annual Participation Agreement Resolution authorizing participation and the Proposed Renewal Schedule of Benefits and Rates for FY 2002-2003 representing a 14% increase in monthly premiums. The vote of approval was unanimous.

**4. Stormwater Ordinance – (*Steve Stone*)**

Staff recommends that the Board of Commissioners consider approving the proposed Stormwater Quality Management and Discharge Control Ordinance.

Vice-Chairman Moore moved to approve first reading of the Stormwater Ordinance. The vote of approval was unanimous.

Vice-Chairman Moore amended the motion to include setting a Public Hearing for May 6, 2002 at 4:30 p.m. The vote of approval was unanimous.

**5. Public Housing – (*Vonnie Fulwood*)**

Staff recommends that the Board of Commissioners consider approving the Brunswick County Public Housing Agency Plan for FY 2002-2003.

Commissioner Sue moved to approve the Public Housing Agency Plan for FY 2002-2003. The vote of approval was unanimous.

**6. Public Housing - (*Vonnie Fulwood*)**

Staff recommends that the Board of Commissioners consider approving the award of three (3) Crisis Housing Assistance Rehab Contracts to C. Frank Thomas totaling \$84,168.00 and five (5) Contracts to Unique Homes of Southport totaling \$170,276.00.

Commissioner Rabon moved to award three Crisis Housing Assistance Rehabilitation Contracts to C. Frank Thomas, totaling \$84,168.00 and five Crisis Housing Contracts to Unique Homes of Southport, totaling \$170,276.00. The vote of approval was unanimous.

**7. EMS – Medicare EMS Fee Schedule – (*Joey Folding*)**

Staff recommends that the Board of Commissioners consider approving the new Medicare EMS Fee Schedule to become effective immediately.

Commissioner Sandifer instructed the EMS Director to inform the local Volunteer Rescue Squads of the new Medicare Fee Schedule.

Commissioner Sandifer moved to approve the new Medicare EMS Fee Schedule to become effective immediately. The vote of approval was unanimous.

**8. Finance – Third Quarter Financial Report – (*Lithia Brooks*)**

Staff recommends that the Board of Commissioners consider receiving the Financial Report for the third quarter as information.

Lithia Brooks, Fiscal Operations Director, gave the third quarter Financial Report.

**9. FY 2001 – 2002 Goals - Third Quarter Update – (Marty Lawing)**

Staff recommends that the Board of Commissioners consider receiving the Goals quarterly report as information and provide input/direction for staff.

The County Manager gave a progress report on the FY 2001-2002 Goals.

**10. East/West Regional Wastewater Project - Bond Counsel Proposals – (Marty Lawing)**

Staff recommends that the Board of Commissioners consider selecting a law firm to serve as Bond Counsel for the East/West Regional Wastewater Project.

Vice-Chairman Moore moved to approve the proposal of Parker, Poe, Adams & Bernstein LLP to serve as Bond Counsel for the East-West Regional Wastewater Project. The vote of approval was unanimous.

**VII. BOARD APPOINTMENTS**

**1. Utility Operations Board (3 appointments, Districts 2,4, at-large)**

**(District 4 tabled under Adjustments to the Agenda)**

Commissioner Sandifer appointed Robert “Chip” Leavitt. Commissioner Sue appointed E.G. Dale. Commissioner Rabon moved to close the nominations. The vote of approval was unanimous. Commissioner Sue moved to approve the appointments of Robert Leavitt and E.G. Dale. The vote of approval was unanimous.

Robert “Chip” Leavitt and E.G. Dale were re-appointed to serve another two-year term that will expire January 1, 2004.

**2. Board of Equalization and Review (added under Adjustments to the Agenda)**

Commissioner Sandifer appointed Francis Warner. Commissioner Rabon moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Francis Warner. The vote of approval was unanimous.

Francis Warner will fill the unexpired term of Beverly Faircloth (resigned) that will expire April 1, 2003.

**VIII. COUNTY ATTORNEY’S REPORT**

**1. Request approval of NBSD for 15’ easement on three County properties for sewer system.**

The County Attorney explained the three easements.

Commissioner Sue moved to approve the easements on three County properties. The vote of approval was unanimous.

**2. Closed Session (added under Adjustments to the Agenda)**

**7:24 p.m.** Commissioner Sandifer moved to enter Closed Session pursuant to G.S. 143-318.11

(a) (3) potential litigation. The vote of approval was unanimous.

**8:39 p.m.** Reconvened.

Chairman Warren called the Open Session back to order and announced that no action was taken in Closed Session.

**IX. OTHER BUSINESS/INFORMAL DISCUSSION**

There was no other business to be discussed.

## **X. ADJOURNMENT**

Commissioner Sue moved to recess the Regular Meeting until Friday, April 19, 2002 at 12:30p.m. Commissioners Chambers, Public Assembly Building, County Government Center. The vote of approval was unanimous.

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Donald E. Warren, Chairman

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Deborah (Debby) Gore, Clerk to the Board